

**United States Bankruptcy Court  
Eastern District of Pennsylvania**

In re Emiliano Irizarry  
Esperanza Irizarry

Debtor(s)

Case No. 23-11673

Chapter 13

**MOTION OF DEBTOR TO APPOINT NEXT FRIEND FOR EMILLIANO IRIZARRY**

**AND NOW COMES** Debtor, Esperanza Irizarry, and her Son, Dennis Irizarry, who files the instant Motion seeking to appoint Dennis Irizarry as Next Friend to Emiliano Irizarry, in order to testify on behalf of his Father at his Father's Section 341 meeting, and in support thereof avers that:

1. On June 7, 2023, the above-named Debtors filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code.
2. This case was filed as a result of a pending foreclosure action and Sheriff Sale of Debtors' residence.
3. Both Debtors herein are in their 80's, and their Son, Dennis Irizarry, resides with Debtors and is their primary care giver.
4. Dennis Irizarry is an adult individual who was gainfully employed as a bus driver for the sick and elderly.
5. Dennis Irizarry has forsaken his employment to take care of his Parents 24/7.
6. Emilliano Irizarry has been diagnosed with Dementia, and this disease has progressed rapidly since the instant filing.
7. In March of 2023, Emilliano Irizarry appointed his Son, Dennis, as his alternate Power of Attorney; A true and correct copy of said Power of Attorney is attached herto and made a part hereof as Exhibit "A".
8. Due to certain medications, it is very difficult for Emilliano to testify at his Section 341 meeting, and to compound matters, Debtor's first language is Spanish, and due to his advanced dementia he has difficulty processing English.
9. All of the day to personal and financial affairs of both Debtors are handled by Dennis Irizzary, and he is absolutely familiar with the instant bankruptcy filing, as well as as his Parents' income, expenses, assets, liabilities and finances.
10. Undersigned counsel has met with Debtors, and Dennis Irizzary, on numerous occasions, and as a result of these meetings can honestly say Dennis Irizzary is truly a kind and loving Son who has now dedicated his life to his Parents, without looking for any financial compensation.
11. Petitioners represent that the instant Motion is in the best interest of Debtors, Debtors Estate, and Debtors' creditors.

WHEREFORE, Petitioners prays for an Order permitting Dennis Irizarry to act as Emilliano Irizarry's Next Friend in this proceeding, and to allow Dennis Irizarry to Testify at the Section 341 meeting on his Father's behalf, and that they be granted such other and further relief as is just and proper.

Date October 4, 2023

Signature /s/ Dennis Irizarry, POA  
Emiliano Irizarry by Dennis Irizarry,  
Agent for Emiliano Irizarry

Date October 4, 2023

Signature /s/ Esperanza Irizarry  
Esperanza Irizarry  
Joint Debtor

Attorney /s/ Elaine V. Grbach  
Elaine V. Grbach 45485

